



Public Notice

**U.S. Army Corps
of Engineers**

Pittsburgh District

In Reply Refer to
Notice No. below

US Army Corps of Engineers, Pittsburgh District
1000 Liberty Avenue
Pittsburgh, PA 15222-4186

Application No. LRP-2015-587

Date: 10-7-2016

Notice No. 16-48

Closing Date: 11-7-2016

1. TO ALL WHOM IT MAY CONCERN: The following application has been submitted for a Department of the Army Permit under the provisions of Section 404 of the Clean Water Act.
2. APPLICANT: Mr. Timothy Ball
Morgantown Utility Board
278 Greenbag Road
Morgantown, WV 26501
3. LOCATION: The proposed project is located on Cobun Creek and Mountain Run in Morgantown, Monongalia County, West Virginia (39.574272° N, -79.931791° W).
4. PURPOSE AND DESCRIPTION OF WORK: The applicant proposes to construct the Cobun Creek No. 2 Impoundment within the area of Cobun Creek and Mountain Run confluence for the purposes of freshwater supply to the city of Morgantown, West Virginia. The proposed work will consist of placement of fill material to construct an earthen dam and the impoundment of the above referenced streams. As initially proposed, the project has potential to permanently impact 9,613 LF of perennial streams, 616 LF of intermittent streams, and 422 LF of ephemeral streams. Additionally, 1.05 acres of PEM/PSS wetland will be impacted by the proposed work (see attached table for further information).

The applicant proposes to provide mitigation for unavoidable impacts through the use of one or more of the following options:

1. The purchase of credits from an approved mitigation bank and/or credits from the West Virginia In-lieu Fee Program;
2. On-site permittee responsible mitigation in the Cobun Creek Watershed in Morgantown, WV to compensate for impacts to perennial, intermittent, and ephemeral streams;
3. On-site permittee responsible mitigation in the Cobun Creek watershed in Morgantown, WV to compensate for impacts to wetlands; or
4. Off-site permittee responsible mitigation in the West Run watershed in Morgantown, WV to compensate for impacts to perennial, intermittent, and ephemeral streams.

The proposed on-site and off-site permittee responsible mitigation would include a combination of mitigation types including restoration, enhancement, and/or preservation using a watershed approach. Site protection would be provided via deed restrictions/conservation easements.

MUB is proposing a 5-year monitoring for all permittee responsible mitigation.

5. WEST VIRGINIA CERTIFICATION: This permit decision will not be made until the State of West Virginia, Division of Environmental Protection (WVDEP), issues, denies, or waives State Certification. This public notice does not serve as application to the WVDEP for certification required by Section 401 of the Clean Water Act. An individual 401 water quality certification (WQC) may be required for this proposed activity in conjunction with the Section 10 of the Rivers and Harbors Act permit and/or Section 404 of the Clean Water Act permit. The applicant must apply directly to the WVDEP for an individual 401 WQC. The WVDEP will also consider whether or not the proposed activity will comply with sections 301, 302, 303, 306, 307 of the Clean Water Act or any other appropriate State laws. Please contact the below to determine if an individual 401 WQC is required for this proposed activity:

Ms. Wilma Reip, 401 Program Manager
Phone: 304-962-0499 ext. 1599
E-mail: Wilma.reip@wv.gov

6. IMPACT ON NATURAL RESOURCES: The District Engineer has consulted the most recently available information and has determined that the project may affect, but is not likely to adversely affect endangered species or threatened species, or result in destruction or adverse modification of habitat of such species which has been determined to be critical. This Public Notice serves as a request to the U.S. Fish and Wildlife Service for any additional information they may have on whether any listed or proposed to be listed endangered or threatened species may be present in the area which would be affected by the activity, pursuant to Section 7(c) of the Endangered Species Act of 1972 (as amended). If the U.S. Fish and Wildlife Service concurs with the may affect, not likely to adversely affect determination please respond with written concurrence. *NOTE: USFWS project No. 2016-i-0718 based on most recent correspondence dated 8-23-2016.*

7. IMPACT ON CULTURAL RESOURCES: The National Register of Historic Places has been consulted, and it has been determined that there are no properties currently listed on the register which would be directly affected by the proposed work. If we are made aware, as a result of comments received in response to this notice, or by other means, of specific archeological, scientific, prehistorical, or historical sites or structures which might be affected by the proposed work, the District Engineer will immediately take the appropriate action necessary pursuant to the National Historic Preservation Act of 1966 - Public Law 89-665 as amended (including Public Law 96-515). *NOTE: Most recent correspondence from WV SHPO is dated 6-7-2016. FR#15-488-MG-2.*

8. PUBLIC INVOLVEMENT: Any person may request, in writing, within the comment period specified in the paragraph below entitled "RESPONSES," that a public hearing be held to consider this application. The requests for public hearing shall state, with particularity, the reasons for holding a public hearing.

9. EVALUATION: Interested parties are invited to state any objections they may have to the proposed work. The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposals must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people. The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the overall public interest of the proposed activity. The evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under the authority of Section 404(b) of the Clean Water Act (40 CFR Part 230).

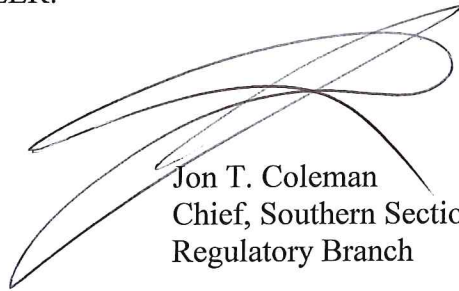
10. RESPONSES: A permit will be granted unless its issuance is found to be contrary to the public interest. Written statements concerning the proposed activity should be received in this office on or before the closing date of this Public Notice in order to become a part of the record and to be considered in the final determination, comments can be mailed to:

U.S. Army Corps of Engineers, Pittsburgh District
1000 Liberty Avenue
Pittsburgh, PA 15222-4186
Re: Public Notice CELRP-OP-F No. 16-48

Any objections which are received during this period may be forwarded to the applicant for possible resolution before the determination is made whether to issue or deny the requested DA Permit. All responses to this notice should be directed to the Regulatory Branch, attn Josh Shaffer at the above address, by telephoning (412) 395-7121, or by e-mail at Joshua.d.shaffer@usace.army.mil. Please refer to CELRP-OP-F 2015-587 in all responses.

CELRP-OP-F
Public Notice No. 16-48

FOR THE DISTRICT ENGINEER:



Jon T. Coleman
Chief, Southern Section
Regulatory Branch

Attachment 1

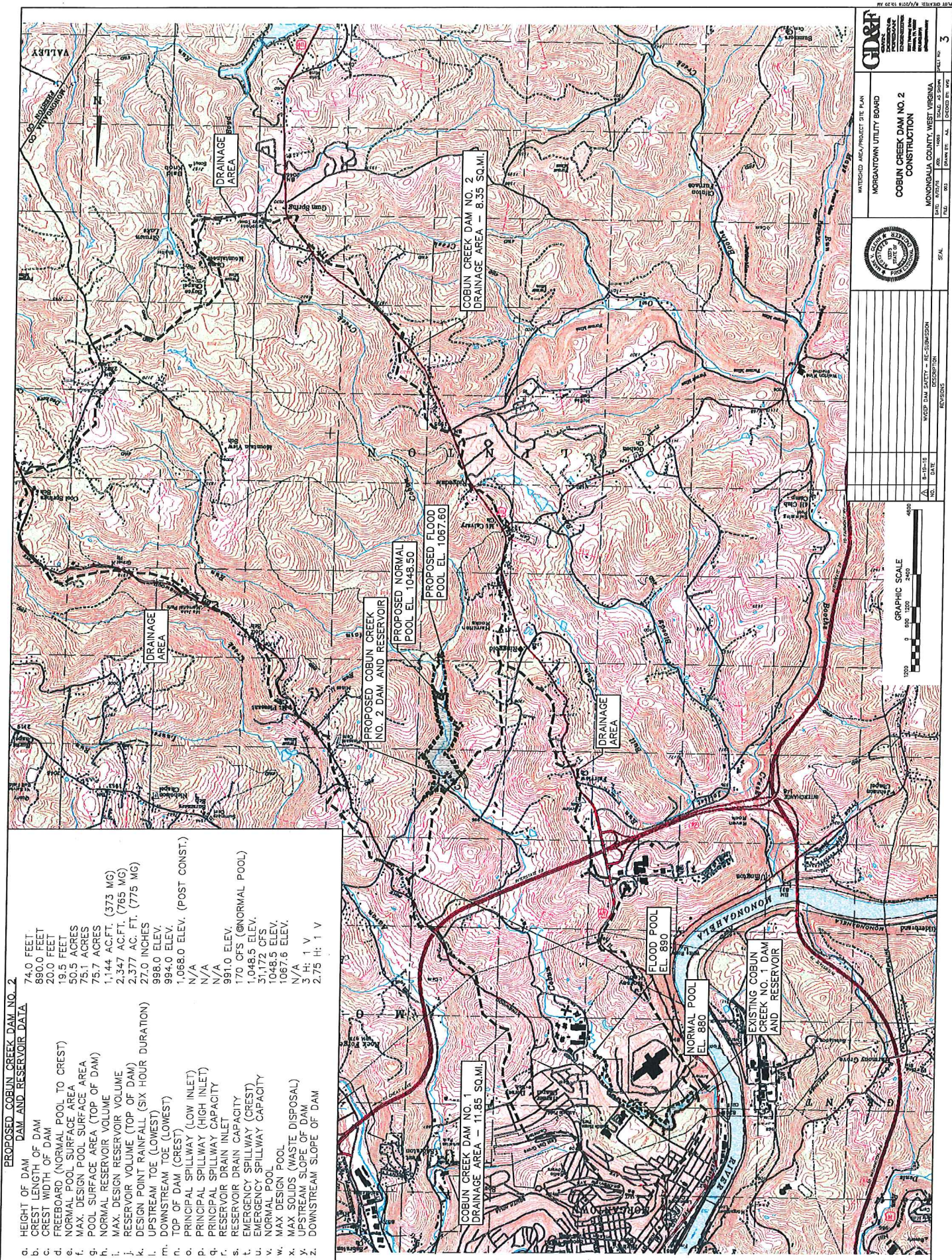
WETLAND IMPACTS

Wetland	Total Acres	Impacted Acres	Permanent or Temporary	Wetland Classification	Location
1	0.55	0.55	Permanent	PEM/PSS	N39°34'41.25" W79°56'07.49"
2	0.25	0.25	Permanent	PEM	N39°34'35.44" W79°55'58.74"
3	0.02	0.02	Permanent	PEM	N39°34'19.41" W79°55'56.86"
4	0.19	0.04	Permanent	PEM	N39°34'04.52" W79°55'52.29"
7	0.02	0.02	Permanent	PEM	N39°34'15.43" W79°55'58.08"
x	0.02	0.02	Permanent	PEM	N39°34'25.01" W79°55'53.66"

STREAM AND STORMWATER FACILITY DATA

Stream	Name	Location	Linear Feet of Stream Impact	Stream Type	Drainage Area (Acres)	SWVM Score
A	Mountain Run	N39°33'54.72" W79°55'50.79"	2,714	Perennial	5,344	2,608.54
B	Cobun Creek	N39°33'49.71" W79°55'56.22"	5,475	Perennial	1,877	5,196.94
C	UNT to Cobun Creek	N39°34'15.93" W79°56'04.92"	209	Intermittent	19	165.72
D	UNT to Cobun Creek	N39°34'16.58" W79°56'05.76"	307	Intermittent	62	267.35
E	UNT to Cobun Creek	N39°34'44.89" W79°55'46.42"	863	Perennial	229	731.91
F	UNT to Cobun Creek	N39°34'28.76" W79°55'44.47"	561	Perennial	190	518.36
F2	UNT to Stream F	N39°34'28.12" W79°55'53.48"	100	Intermittent	3	77.23
W	UNT to Mountain Run	N39°34'10.05" W79°55'53.53"	50	Ephemeral	9	32.77
X	UNT to Mountain Run	N39°34'26.75" W79°55'54.47"	182	Ephemeral	18	147.65
Z	UNT to Cobun Creek	N39°34'30.35" W79°55'51.89"	190	Ephemeral	7	130.54

Attachment 2



PROPOSED COBUN CREEK DAM NO. 2
DAM AND RESERVOIR DATA

- a. HEIGHT OF DAM 74.0 FEET
- b. CREST LENGTH OF DAM 890.0 FEET
- c. CREST WIDTH OF DAM 20.0 FEET
- d. FREEBOARD (NORMAL POOL TO CREST) 19.5 FEET
- e. NORMAL POOL SURFACE AREA 50.5 ACRES
- f. MAX. DESIGN POOL SURFACE AREA 75.1 ACRES
- g. POOL SURFACE AREA (TOP OF DAM) 75.7 ACRES
- h. NORMAL RESERVOIR VOLUME 1,144 AC.FT. (373 MG)
- i. MAX. DESIGN RESERVOIR VOLUME 2,347 AC.FT. (765 MG)
- j. RESERVOIR VOLUME (TOP OF DAM) 2,377 AC. FT. (775 MG)
- k. DESIGN POINT RAINFALL (SIX HOUR DURATION) 27.0 INCHES
- l. UPSTREAM TOE (LOWEST) 998.0 ELEV.
- m. DOWNSTREAM TOE (LOWEST) 994.0 ELEV.
- n. TOP OF DAM (CREST) 1,068.0 ELEV. (POST CONST.)
- o. PRINCIPAL SPILLWAY (LOW INLET) N/A
- p. PRINCIPAL SPILLWAY (HIGH INLET) N/A
- q. RESERVOIR DRAIN INLET N/A
- r. RESERVOIR DRAIN CAPACITY 170 CFS (NORMAL POOL)
- s. EMERGENCY SPILLWAY (CREST) 1,048.5 ELEV.
- t. EMERGENCY SPILLWAY CAPACITY 31,172 CFS
- u. NORMAL POOL 1048.5 ELEV.
- v. MAX DESIGN POOL 1067.6 ELEV.
- w. MAX SOLIDS (WASTE DISPOSAL) N/A
- x. UPSTREAM SLOPE OF DAM 3 H. 1 V
- y. DOWNSTREAM SLOPE OF DAM 2.75 H. 1 V

WATERSHED AREA/PROJECT SITE PLAN
MORGANTOWN UTILITY BOARD
COBUN CREEK DAM NO. 2
CONSTRUCTION
MONONGALIA COUNTY, WEST VIRGINIA
DATE: 10/03/10
SCALE: AS SHOWN
DRAWN BY: JWC
CHECKED BY: JWC
APP. NO. 3

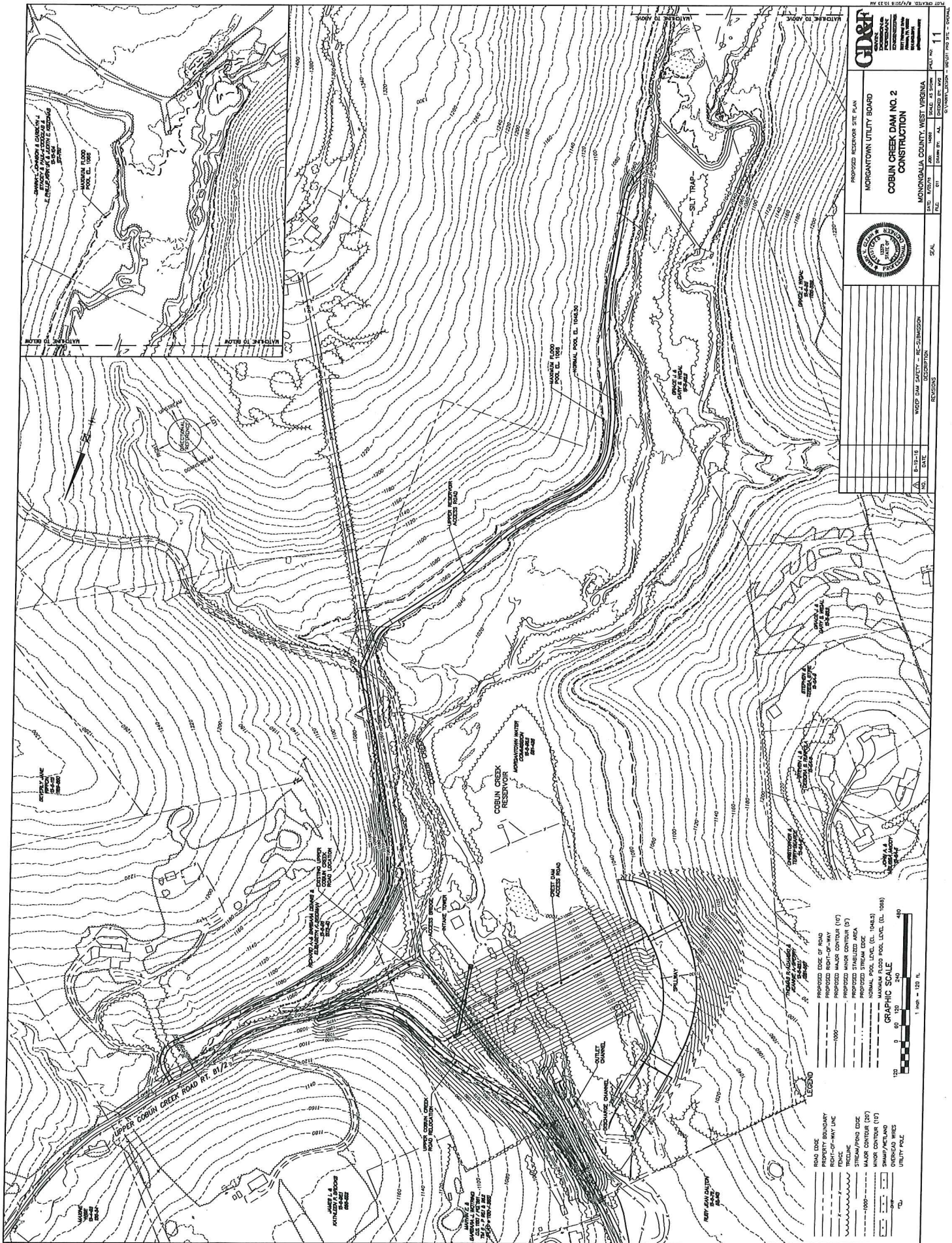
STATE OF WEST VIRGINIA
J. W. C.
No. 10000
Professional Engineer

NO.	DATE	DESCRIPTION	REVISIONS
1	10/03/10	WSDP DAM ELEV. - RE-CUMULON	

GRAPHIC SCALE
0 1000 2000 4000
FEET

North Arrow

Attachment 3



CD&P
 CIVIL DESIGN & PLANNING
 1000 N. 10TH ST., SUITE 100
 DENVER, CO 80202
 PHONE: 303.733.1111
 FAX: 303.733.1112
 WWW.CD&P.COM

PROPOSED SITE PLAN
 MORGANTOWN UTILITY BOARD
COBURN CREEK DAM NO. 2
 CONSTRUCTION



MORGANTOWN COUNTY, WEST VIRGINIA

DATE: 8/27/13
 SCALE: AS SHOWN
 SHEET NO. 42
 TOTAL SHEETS: 42

WOOD DAM SAFETY - RE-DESIGN
 REVISIONS

DATE: 8/27/13
 REVISIONS

SCALE: 1" = 120' N.

GRAPHIC SCALE

0 100 200 300 400

1" = 120' N.

LEGEND

ROAD EDGE

PROPERTY BOUNDARY

RIGHT-OF-WAY LINE

POUND

TREELINE

STREAM/POND EDGE

MAJOR CONTOUR (10')

MINOR CONTOUR (2')

MAXIMUM FLOOD POOL LEVEL (EL. 1048.3)

NORMAL POOL LEVEL (EL. 1044.3)

UTILITY POLE